

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Vincente Juarez,

Plaintiff,

—v—

449 Restaurant Inc., *et al.*,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: MAR 03 2015

13-cv-6977 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

The Court has been advised that the parties in this FLSA action have reached a settlement. *See* Dkt. No. 50.

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties may also dismiss this action without court-approval of their settlement. However, they are advised to consider the risks attendant in proceeding in this fashion. *See Picerni v. Bilingual Seit & Preschool, Inc.*, No. 12 Civ. 4938, 2013 U.S. Dist. LEXIS 24622 (E.D.N.Y. Feb. 22, 2013). Any such stipulation of dismissal shall similarly be filed on or before **2 weeks**.

The parties may also seek to have the settlement reviewed by the Court. When parties seek the Court's approval of a settlement agreement, then the settlement must be scrutinized by the Court to ensure that it is fair. *Wolinsky v. Scholastic Inc.*, No. 11 Civ. 5917, 2012 WL 2700381 (S.D.N.Y. July 5, 2012). Accordingly, on or before **2 weeks**, the parties must submit to the Court both the settlement agreement and a joint letter explaining why the settlement should be approved. The joint letter should address the considerations detailed in *Wolinsky*, 2012 WL 2700381, at \*2-3. The parties are further advised that the Court will not approve settlement agreements that contain a confidentiality provision.

SO ORDERED.

Dated: February 23, 2015  
New York, New York



---

ALISON J. NATHAN  
United States District Judge